

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DR. PAUL M. CONTI,

Plaintiff-Counterclaim Defendant,

Case No. 17-CV-9268 (VEC)

– against –

JOHN DOE,

Defendant-Counterclaim Plaintiff.

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DECLARATION OF G. WILLIAM BARTHOLOMEW

G. WILLIAM BARTHOLOMEW, hereby declares under penalty of perjury:

1. I am associated with the law firm of Judd Burstein, P.C. (“JBPC”), attorneys for Plaintiff-Counterclaim Defendant Dr. Paul M. Conti (“Plaintiff” or “Dr. Conti”) in the above-captioned action.

2. I respectfully submit this Declaration in support of Dr. Conti’s motion for an Order (i) pursuant to Rules 401, 403, and 702 of the Federal Rules of Evidence, excluding the expert reports and testimony of Dr. Paul S. Appelbaum (“Dr. Appelbaum”) and Dr. Ziv E. Cohen (“Dr. Cohen”) proffered by Defendant-Counterclaim Plaintiff John Doe (“Defendant” or “Doe”); and (ii) granting such other and further relief as this Court deems just and proper (the “Plaintiff’s Motion”).

3. The purpose of this Declaration is to submit relevant exhibits to the Court.

4. Annexed hereto as Exhibit A is Dr. Appelbaum’s Expert Report, dated October 6, 2019.

5. Annexed hereto as Exhibit B are relevant excerpts of the transcript of Dr. Appelbaum's deposition, held January 21, 2020, in which I have replaced references to Defendant's real name with the name "John Doe".

6. Annexed hereto as Exhibit C is Dr. Cohen's Expert Report, dated October 7, 2019. Plaintiff will be seeking to file this Exhibit under seal and on the public docket with redactions concurrently with the filing of Plaintiff's Motion.

7. Annexed hereto as Exhibit D is a relevant excerpt of the transcript of Dr. Cohen's deposition, held November 15, 2019, in which I have replaced a reference to Defendant's real name with the name "John Doe".

8. Annexed hereto as Exhibit E is the Expert Report of Dr. Donald Meyer, dated November 11, 2019, in which I have replaced references to Defendant's real name with the name "John Doe".

9. Annexed hereto as Exhibit F are relevant excerpts of the transcript of the deposition of Dr. N. Gregory Hamilton, held May 9, 2019, in which I have replaced references to Defendant's real name with the name "John Doe".

10. Annexed hereto as Exhibit G is an Order of this Court dated December 18, 2017, which will be filed under seal because it is already a sealed document in this case.

11. Annexed hereto as Exhibit H is a December 20, 2017 letter from Defendant's counsel to this Court including an Order from this Court dated December 27, 2017, which will be filed under seal because it is already a sealed document in this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 20, 2020, in the State of Pennsylvania, County of Lancaster.

/s/ G. William Bartholomew
G. WILLIAM BARTHOLOMEW